

Local Law Filing

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

County City Town Village

(Select one.)

of Cayuga

Local Law No. 1 of the year 2023

A local law creating the Cayuga County Purchasing Department

(Insert Title)

Be it enacted by the Cayuga County Legislature of the
(Name of Legislative Body)

County City Town Village

(Select one.)

of Cayuga as follows:

(If additional space is needed, attach pages the same size as this sheet, and number each.)

RESOLUTION NO. 59-23 1/24/23 COA LL ADOPT Creation Purchasing Department

ADOPTING A LOCAL LAW CREATING THE CAYUGA COUNTY PURCHASING DEPARTMENT

BY: Cayuga County Legislature

WHEREAS, Local Law No. 1 for the year 2023 was presented to the Cayuga County Legislature on December 13, 2022; and

WHEREAS, pursuant to law and after proper notice being duly given, the County Legislature held a public hearing on said Local Law No. 1 for 2023 on January 24, 2023 at 6:00 P.M.; now, therefore be it

RESOLVED, that Local Law No. 1 of 2023, entitled "A LOCAL LAW CREATING THE CAYUGA COUNTY PURCHASING DEPARTMENT" as so designated, be and the same is hereby enacted, waiving any and all defects and informalities in the adoption thereof; and be it further

RESOLVED, that the Clerk of the Cayuga County Legislature is directed to publish notice of the adoption of Local Law No. 1 of 2023 in the official newspapers of Cayuga County, one time per week for each of two weeks, the first publication to be within ten (10) days of its effective date.



State of New York }
County of Cayuga }

I do hereby certify, that I have compared the forgoing copy of a Resolution duly passed and adopted by the Cayuga County Legislature at a meeting held on the 24th day of January 2023 with the original Resolution, and that the same is a true and correct copy and transcript thereof, and the whole thereof.

Given under my hand and official seal January 25, 2023

Shula P. Smith
CLERK, CAYUGA COUNTY LEGISLATURE

LOCAL LAW NO. 1 FOR THE YEAR 2023

A LOCAL LAW CREATING THE CAYUGA COUNTY PURCHASING DEPARTMENT

BE IT ENACTED by the County Legislature of the County of Cayuga, as follows:

Section 1. Legislative Findings and Intent:

The County of Cayuga considered the creation of a Cayuga County Purchasing Department. Cayuga County as authorized by County Law §§ 204, 400(4)(a) and the Municipal Home Rule Law § 10(1), to create and establish appointive positions, define their powers, compensation and duties, and fix their terms of office, so long as it is not inconsistent with the New York State Constitution or general law.

There shall be a Department of Purchasing overseen by a Director of Purchasing who shall be appointed by the County Legislature.

Section 2. Department of Purchasing; Director; appointment.

There shall be a Department of Purchasing overseen by a Director of Purchasing who shall be appointed by the County Legislature and who shall serve without bond. The Director of Purchasing shall: (A) In accordance with the requirements for advertising and competitive bidding, authorize all purchases and sales of materials, supplies and equipment and contracts for the rental or servicing of equipment for the County. (B) Approve and execute certain contracts as shall be prescribed by the County Resolution. (C) Establish and enforce suitable specifications and standards for all supplies, materials and equipment to be purchased for the County. (D) Develop and maintain technology and data to assist and enhance procurement and purchasing practices. (E) Facilitate shared services and shared purchase opportunities. (F) Establish training programs for department employees participating in procurement activities. (G) Implement Countywide procurement procedures in accordance with State Law. (H) Pursue creative procurement opportunities, cooperative purchasing options and strategic sourcing. (I) Perform such other and related duties as shall be required and delegated by the County Legislature.

Section 3. Director; appointment; qualifications.

(1) The Department of Purchasing shall be overseen by a Director of Purchasing. The qualifications of the Director shall be:

A) Graduation from a regionally accredited or New York State registered college or university with a Bachelor's Degree and two (2) years of experience in either:

- 1) a governmental management or administrative capacity which must have included oversight of fiscal management and/or purchasing functions, or
- 2) a position responsible for large scale purchasing of a variety of commodities including experience in the preparation of specifications and the awarding of contracts;

OR

B) Graduation from a regionally accredited or New York State registered college or university with an Associate's Degree and three years of experience in either:

- 1) a governmental management or administrative capacity which must have included oversight of fiscal management and/or purchasing functions, or
- 2) a position responsible for large scale purchasing of a variety of commodities including experience in the preparation of specifications and the awarding of contracts;

OR

C) Graduation from high school or possession of an equivalency diploma and eight (8) years of experience in either:

- 1) a governmental management or administrative capacity which must have included oversight of fiscal management and/or purchasing functions, or
- 2) a position responsible for large scale purchasing of a variety of commodities including experience in the preparation of specifications and the awarding of contracts;

OR

D) An equivalent combination of training and experience as defined by the limits of A), B) and C) above.

SPECIAL REQUIREMENT(S):

Certified Public Purchasing Officer (CPPO) or Certified Professional Public Buyer (CPPB) preferred.

After the effective date of this Local Law, the qualifications for the Director of Purchasing will be as set forth in the Cayuga County Civil Service Job Description.

(2) Powers and duties of Director of Purchasing.

(A) The Director of Purchasing shall:

(1) Have charge, oversight and supervision of the Department.

(2) Establish and maintain a central purchasing system

Develop and implement the County Purchasing Policy consistent with all federal, state laws, rules and regulations.

(3) Research and identify commodity, source, and pricing information for all purchases

(4) Determine applicable public advertisement and bid requirements pursuant to General Municipal Law §103 and implementing same

(5) Prescribe the form of requisitions, and of receipts for supplies delivered without requisition, that will be required for all County purchase

(6) Upon request of any city, town, village, school district or any other unit of local government, and upon such conditions as may be prescribed by the County Legislature, act as purchasing agent for the same, either for all or any part of its purchases, coordinates purchasing activities with other municipalities, or the Cayuga Community College.

(7) Shall be the custodian of all vouchers, requisitions, receipts and other papers pertaining thereto which shall be open to the public inspection.

(8) Enforce the procurement and purchasing policies and procedures to be followed by all County entities and promulgate rules and regulations deemed necessary to carry out the County's procurement policies.

(9) All delegation of powers, duties and responsibilities to the Director of Purchasing shall be subject to Civil Service laws, rules and regulations and such other laws as may be applicable.

(10) Oversee the administration of all RFPs and RFQs issued by the County.

(11) The Compensation for the Director of Purchasing shall be set by the Cayuga County Legislature by resolution.

(12) The Director of Purchasing shall be subject to removal or sanction by the Cayuga County Legislature pursuant to New York State Civil Service Law, Section 75.

(13) Perform all other duties of a County Purchasing Agent under the Laws of the State of New York not inconsistent with the provisions of this Code.

(14) Appoint such deputies, and such assistants and employees as may be authorized by the Legislature, and within budgetary appropriations provided therefore, as he or she may deem necessary for the performance of his duties, and shall have the power to remove the same.

(15) Perform such additional duties as set forth in the Civil Service Job Description for the position of Director of Purchasing.

Section 4: No Divestiture of Power.

- A. Nothing contained in this Local Law shall operate or be construed to divest the Legislature of Cayuga County of any of its functions, powers, or duties.
- B. Nothing contained in this Local Law shall operate or be construed to divest the Cayuga County Treasurer of any his/her functions, powers, or duties.

Section 5: Repealer.

In the event of a conflict or inconsistency between this Local Law and any previous Local Law or Resolution of the Cayuga County Legislature, the terms of this Local Law shall govern.

Section 6: Savings Clause.

It is the intent of the Legislature that in the event that any clause, sentence, paragraph, section or part of this Local Law shall be adjudged by any court of competent jurisdiction to be invalid, such judgment, decree or order shall not affect, impair or invalidate the remainder thereof but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section or part thereof directly involved in the controversy in which such judgment, decree or order shall have been rendered and that the remainder of this Local Law shall not be affected thereby and shall remain in full force and effect.

Section 7: Effective Date.

This Local Law shall take effect upon filing with the New York State Secretary of State.

(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)

1. (Final adoption by local legislative body only.)

I hereby certify that the local law annexed hereto, designated as local law No. 1 of 2023 of the (County)(City)(Town)(Village) of County of Cayuga was duly passed by the Cayuga County Legislature on January 24 2023, in accordance with the applicable *(Name of Legislative Body)* provisions of law.

2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer*.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved) *(Name of Legislative Body)* (repassed after disapproval) by the _____ and was deemed duly adopted *(Elective Chief Executive Officer*)* on _____ 20 , in accordance with the applicable provisions of law.

3. (Final adoption by referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved) *(Name of Legislative Body)* (repassed after disapproval) by the _____ on _____ 20____. *(Elective Chief Executive Officer*)*

Such local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general)(special)(annual) election held on _____ 20____, in accordance with the applicable provisions of law.

4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved) *(Name of Legislative Body)* (repassed after disapproval) by the _____ on _____ 20____. Such local *(Elective Chief Executive Officer*)* law was subject to permissive referendum and no valid petition requesting such referendum was filed as of _____ 20____, in accordance with the applicable provisions of law.

* Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

5. (City local law concerning Charter revision proposed by petition.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the City of _____ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on _____ 20____, became operative.

6. (County local law concerning adoption of Charter.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the County of _____ State of New York, having been submitted to the electors at the General Election of November _____ 20____, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)

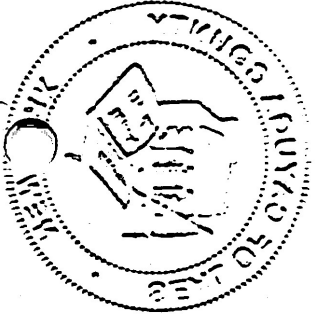
I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph 1 above.

Deputy Clerk, Anla Morgan
Clerk of the county legislative body, City, Town or Village Clerk or officer designated by local legislative body

Date: 1/26/23

(Seal)





Handwritten signature and date: 12/11/2020

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